

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 1ST DECEMBER 2006 / 10TH AGRAHAYANA 1928

WP(C).No. 31870 of 2006(R)

PETITIONER:

GIREESH KUMAR M.,
AGED 32 YEARS, S/O.BALAKRISHNAN NAIR,
KUZHIKANDATHIL HOUSE, ILLATHUTHAZHAM,
PANTHEERANKAVU POST, KOZHIKODE-19.

BY ADV. SRI.SANTHARAM.P

RESPONDENTS:

1. GENERAL CONVENER,
"KERALOLSAVAM 2006",
KUNNAMANGALAM BLOCK PANCHAYATH,
KOZHIKODE DISTRICT.
2. GENERAL CONENER,
"KERALOLSAVAM 2006",
KOZHIKODE DISTRICT PANCHAYATH,
KOZHIKODE DISTRICT.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 01/12/2006, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

C.N.RAMACHANDRAN NAIR,J.

W.P.C.NO. 31870 OF 2006

Dated this the 1st day of December, 2006

JUDGMENT

Petitioner is challenging Ext.P3 order whereunder an appeal filed against award of second prize to the petitioner's team at Block Panchayat level drama competition is rejected by the Jury Committee which heard the appeal. Petitioner's specific case is that during the performance of drama by them, there was power failure and for want of back-up generator there was disruption. According to the petitioner this caused award of second prize to them. Even though detailed appeal is filed vide Ext.P2, it is seen from Ext.P3 that no contention raised by the petitioner is considered by the appellate committee. Petitioner and another actress have secured first prize individually as best actor and best actress at the Panchayat level competition held in 2006. In the circumstances, and since the appeal committee did not deal with specific case raised by the petitioner that due to power failure their performance was under-assessed, Ext.P3 is vacated with direction to the Secretary, Kunnamangalam Block Panchayat to place the appeal

again before the Jury of Appeal and hear the petitioner and dispose of the appeal after verifying the factual allegation made about power failure. If the allegation is true which led to second prize to petitioner, the appellate committee is free to authorise participation at the District Level by the petitioner's team also along with first prize winner because re-performance of the drama is not possible for fresh selection. Petitioner will produce a copy of this judgment before the Secretary for reconsideration of appeal as directed above.

W.P. is disposed of as above.

Issue photocopy today itself.

(C.N.RAMACHANDRAN NAIR)
Judge

